4548

BILL NO. Z-79-07-33

ZONING MAP ORDINANCE NO. Z-22-79

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-11.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. M-11, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Lots 3 & 4 of Piersons' First Subdivision in the City of Fort Wayne, Indiana; a part of the premises commonly known as 310 East Rudisill, Fort Wayne, Allen County, Indiana.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Samuel J. Talarico
Councilman

APPROVED AS TO FORM & LEGALITY

William N. Salin, City Attorney

Read the first time in full and on motion by Nuckols, seconded by J. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) ~~and Public Hearing~~ to be held after due legal notice, at the Council Chambers City-County ~~Building~~, Fort Wayne, Indiana, on _____, the _____ day of _____, 19__, at _____ o'clock ~~M.~~, E.S.T.

DATE: 7-24-79

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	7	1		1	
BURNS	X				
HINGA				X	
HUNTER	X				
MOSES	X				
NUCKOLS	X				
SCHMIDT, D.	X				
SCHMIDT, V.	X				
STIER		X			
TALARICO	X				

DATE: 9-11-79

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (~~GENERAL~~) (~~ANNEXATION~~) (~~SPECIAL~~) (~~APPROPRIATION~~) ORDINANCE (~~RESOLUTION~~) No. Z-22-79 on the 11th day of September 1979.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 13th day of September, 1979 at the hour of 3 o'clock P.M., E.S.T.

Robert E. Armstrong
MAYOR

Bill No. Z-79-07-33

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. M-11

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance Do PASS.

JOHN NUCKOLS - CHAIRMAN

SAMUEL J. TALARICO - VICE CHAIRMAN

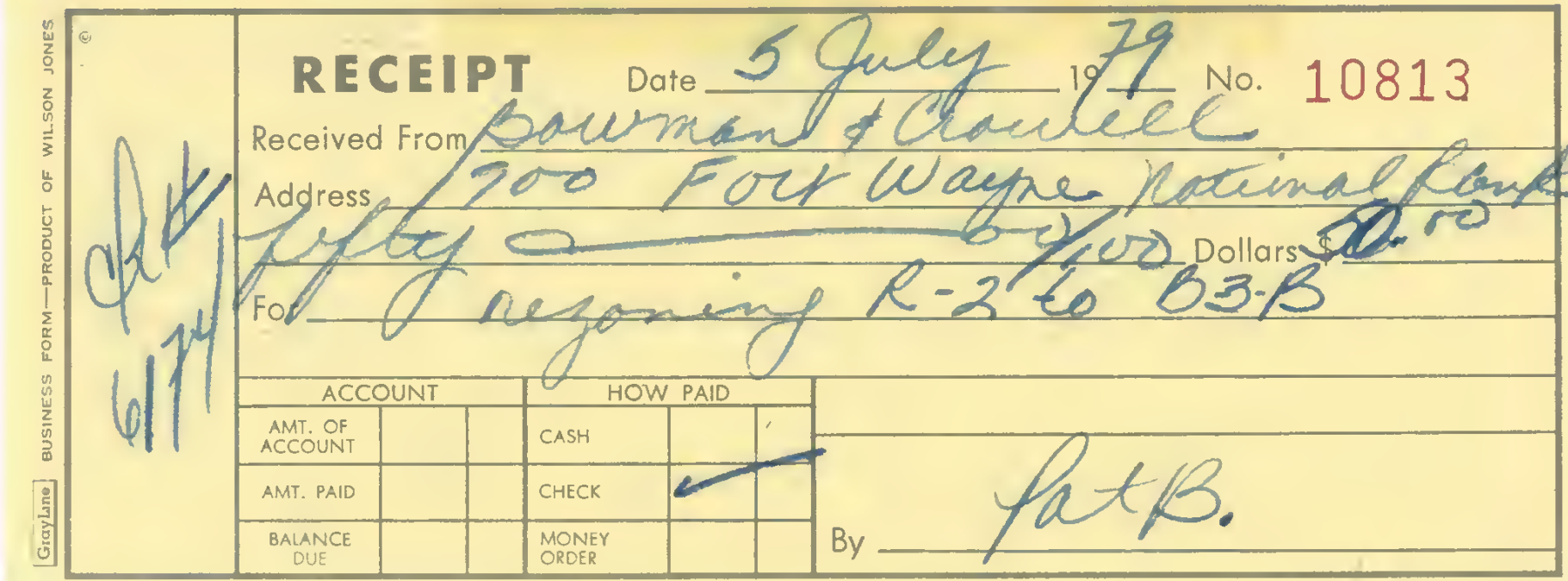
VIVIAN G. SCHMIDT

JAMES S. STIER

WILLIAM T. HINGA

9-11-79
DATE

CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK



RECEIPT Date 5 July 19 79 No. 10813

Received From Bowman & Crawley

Address 200 Fort Wayne National Bank

Fifty & 00/100 Dollars $ 50.00

For Rezoning R-2 to B3-B

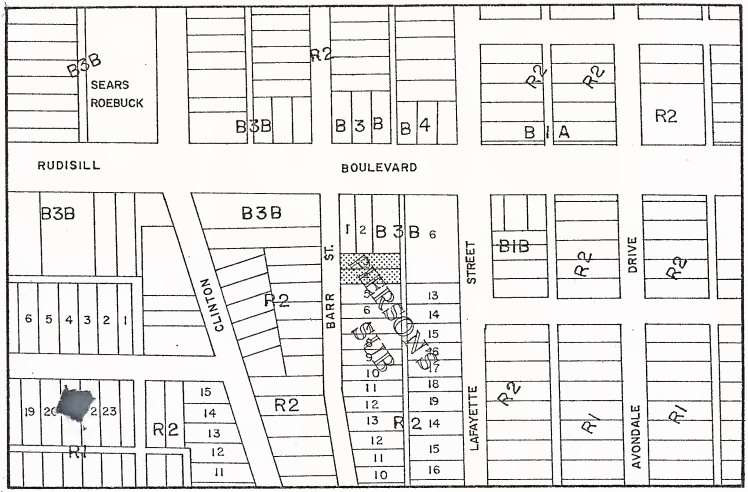
ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK	✓	
BALANCE DUE			MONEY ORDER		

By Pat B.

6174

BUSINESS FORM—PRODUCT OF WILSON JONES

GrayLine



REZONING - FROM R2 TO B3B

MAP NO. M-11

N

Z-79-07-33

DRAWN BY MEG 7/9/79

Receipt No. _____

Date Filed _____

Intended Use _____

I/We VICTOR D. PIERSON
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from an R-2 District to a B 3 B District the property described as follows:

Lots 3 & 4 of Piersons' First Subdivision in the City of Fort Wayne, Indiana;

a part of the premises commonly known as 310 East Rudisill, Fort Wayne,

Allen County, Indiana.

RECEIVED
JUL 5 1979
FORT WAYNE CITY
PLAN COMMISSION

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Victor D. Pierson	4519 Moonlite Kalamazoo, MI 49002	
Phyllis Pierson	6839 Topsfield Dallas, TX 73231	Phyllis Pierson
Terence R. Pierson	Box 735 Bloomington, IN 47401	Terence R. Pierson by [illegible]
(Name)	(Address & Zip Code)	(Signature)

(If additional space is needed, use reverse side) (over)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: $50.00)

Name and address of the preparer, attorney or agent.

DICK E. TEETERS	1900 Fort Wayne Bank Building Fort Wayne, Indiana 46802	(219) 743-4451
(Name)	(Address & Zip code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoning

Owners of Property

(Name)	(Address & Zip Code)	(Signature)
Victor E. Pierson	1875 Michigan Avenue, C-4 Marysville, MI 48040	
Ruth M. Pierson	1875 Michigan Avenue, C-4 Marysville, MI 48040	

4520

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment Z-79-07-09.

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lots 76, 77 & 78 Archer's Addition to the City of Fort Wayne, Indiana.

EFFECT OF PASSAGE Property is now zoned B1B - Limited Business. Property will become B3B - General Business.

EFFECT OF NON-PASSAGE Property will remain B1B - Limited Business.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 24, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-07-33; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 20, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 27, 1979.

Certified and signed this
29th day of August 1979.

Thomas G. Adams

Thomas G. Adams
Secretary

OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk -:- room 122

September 17, 1979

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of September 19 and September 26, 1979, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Zoning Map Ordinances:

Bill No. Z-79-07-33
Zoning Map Ordinance No. Z-22-79

Bill No. Z-79-07-09
Zoning Map Ordinance No. Z-21-79

Please send us 8 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 11th day of September, 1979, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-79-07-33 -- Zoning Map Ordinance No. Z-22-79, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-11

Notice is hereby given that on the 11th day of September, 1979, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-79-07-09 -- Zoning Map Ordinance No. Z-21-79, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K-10

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-79-07-33 -- Zoning Map Ordinance No. Z-22-79 and Bill No. Z-79-07-09 -- Zoning Map Ordinance No. Z-21-79, were passed by the Common Council on the 11th day of September, 1979, said Ordinances were duly signed and approved by the Mayor on the 13th day of September, 1979, and now remains on file and on record in my office.

Copies of Bill No. Z-79-07-33 -- Zoning Map Ordinance No. Z-22-79 and Bill No. Z-79-07-09 -- Zoning Map Ordinance No. Z-21-79 will be posted for reading in the following places in Fort Wayne Allen County, Indiana.

(1) The main floor lobby of the City-County Building

(2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library

(3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. Z-79-07-33 -- Zoning Map Ordinance No. Z-22-79 and Bill No. Z-79-07-09 -- Zoning Map Ordinance No. Z-21-79 will be available for reading in the following places in Fort Wayne, Allen County, Indiana

(1) Reference Room in the north end of the main floor in said Downtown Public Library

(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana

Charles W. Westerman

Charles W. Westerman - City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana fulfilled and posted the above ordinances in the designated places as stated on September 19, 1979.

Charles W. Westerman

Charles W. Westerman - City Clerk

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) – number of equivalent lines	
Head	number of lines	
Body	number of lines	68
Tail	number of lines	2
	Total number of lines in notice	70

COMPUTION OF CHARGES

70 lines, 1 cents per line columns wide equals 70 equivalent lines at .259 $ 18.13

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 6 extra 3.00

TOTAL AMOUNT OF CLAIM. 21.13

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Purs[illegible] of Ch. 89., Acts 1967.

I here[illegible]unt is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has b[illegible]

Arvilla DeWald

Date[illegible] Title CLERK

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I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-79-07-33 — Zoning Map Ordinance No. Z-22-79 and Bill No. Z-79-07-09 — Zoning Map Ordinance No. Z-21-79, were passed by the Common Council on the 11th day of September, 1979, said Ordinances were duly signed and approved by the Mayor on the 12th day of September, 1979, and now remains on file and on record in my office.

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CHARLES W. WESTERMAN
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana fulfilled and posted the above ordinances in the designated places as stated on September 11, 1979.

CHARLES W. WESTERMAN
City Clerk

9—19-36

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

9/19 - 9/26/79

Arvilla DeWald

Subscribed and sworn to before me this 26 th day of September 19 79

Notary Public

My commission expires September 28, 1983

Form Prescribed by State Board of Accounts

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Fort Wayne Common Council
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

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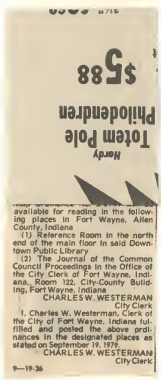
Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date Sept. 26, 19 79

Title CLERK



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CHARLES W. WESTERMAN
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana fulfilled and posted the above ordinances in the designated places as stated on September 19, 1979.
CHARLES W. WESTERMAN
City Clerk

9-19-26

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

9/19 - 9/26/79

Arvilla DeWald

Subscribed and sworn to before me this 26 th day of September 19 79

Harry V. Owens
Notary Public

My commission expires September 28, 1983

Form Prescribed by State Board of Accounts

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Fort Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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V. E. Gerken

Date

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I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-79-07-33 — Zoning Map Ordinance No. Z-22-79 and Bill No. Z-79-07-09 — Zoning Map Ordinance No. Z-21-79, were passed by the Common Council on the 11th day of September, 1979, said Ordinances were signed and approved by the Mayor on the 13th day of September, 1979, and now remains on file and on record in my office.

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CHARLES W. WESTERMAN
City Clerk

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CHARLES W. WESTERMAN
City Clerk

9—19-26

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS.

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city/town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

9/19 - 9/26/79

V. E. Gerken

Subscribed and sworn to before me this 26 th day of September 19 79

Harry [signature]
Notary Public

My commission expires September 28, 1983

Form Prescribed by State Board of Accounts

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Fort Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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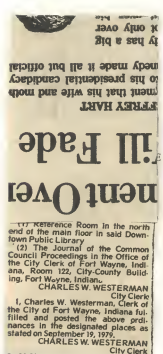
V. E. Gerken

Date Sept. 26, 19 79 — Title CLERK



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V. E. Gerken

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Notary Public

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V. E. Gerken

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Notice is hereby given that on the 11th day of September, 1979, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-79-07-09 — Zoning Map Ordinance No. Z-21-79, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K-10

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-79-07-33 — Zoning Map Ordinance No. Z-22-79 and Bill No. Z-79-07-09 — Zoning Map Ordinance No. Z-21-79, were passed by the Common Council on the 11th day of September, 1979, said Ordinances were duly signed and approved by the Mayor on the 13th day of September, 1979, and now remains on file and on record in my office.

Copies of Bill No. Z-79-07-33 — Zoning Map Ordinance No. Z-22-79 and Bill No. Z-79-07-09 — Zoning Map Ordinance No. Z-21-79 will be posted for reading in the following places in Fort Wayne Allen County, Indiana

(1) The main floor lobby of the City-County Building

(2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library

(3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. Z-79-07-33 — Zoning Map Ordinance No. Z-22-79 and Bill No. Z-79-07-09 — Zoning Map Ordinance No. Z-21-79 will be available for reading in the following places in Fort Wayne, Allen County, Indiana

(1) Reference Room in the north end of the main floor in said Downtown Public Library

(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana

CHARLES W. WESTERMAN
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana fulfilled and posted the above ordinances in the designated places as stated on September 19, 1979.

CHARLES W. WESTERMAN
City Clerk

9—19-26

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA

COPY OF ENT HERE and that the printed matter attached hereto is a true copy, for two times, the dates of publication being

26 th day of September 19 79

V. E. Gerken

Notary Public

My commission expires September 28, 1983

Form Prescribed by State Board of Accounts

General Form No. 99 P(Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) – number of equivalent lines	
Head	number of lines	
Body	number of lines	68
Tail	number of lines	2
	Total number of lines in notice	70

COMPUTION OF CHARGES

70 lines, 1 cents per line columns wide equals 70 equivalent lines at .259 $ 18.13

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 6 extra 3.00

TOTAL AMOUNT OF CLAIM. $ 21.13

DATA FOR COMPUTING COST

Width of single column 9.9 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date Sept. 26 19 79

Title CLERK

Notice is hereby given that on the 11th day of September, 1979, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-79-07-33 — Zoning Map Ordinance No. Z-22-79, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-11

Notice is hereby given that on the 11th day of September, 1979, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-79-07-09 — Zoning Map Ordinance No. Z-21-79, being AN ORDINANCE amending the City of Fort Wayne

COPY OF
EMENT HERE

Zoning Map No.
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PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: 9/19 .. 9/26/79

V. E. Gerken

Subscribed and sworn to before me this 26 th day of September 19

Notary Public

My commission expires September 28, 1983